



Senate Fiscal Agency
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BILL ANALYSIS

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Senate Bills 664 through 667 (as introduced 6-29-05)

Sponsor: Senator Tom George (S.B. 664)
Senator Mike Goschka (S.B. 665)
Senator Alan Sanborn (S.B. 666)
Senator Ron Jelinek (S.B. 667)

Committee: Commerce and Labor

Date Completed: 8-31-05

CONTENT

The bills would amend various statutes governing business entities to require the Director of the Department of Labor and Economic Growth (DLEG) to establish, by February 1, 2006, a procedure for accepting the delivery of documents filed under those laws by electronic transmission. Beginning on that date, a person could file a document under those statutes by electronic transmission.

Senate Bill 664 would amend the Business Corporation Act; Senate Bill 665 would amend the Michigan Limited Liability Company Act; Senate Bill 666 would amend the Nonprofit Corporation Act; and Senate Bill 667 would amend the Michigan Revised Uniform Limited Partnership Act.

Senate Bills 664 and 665

Under the Business Corporation Act and the Michigan Limited Liability Company Act, a person filing a document required or permitted to be filed under those Acts must deliver the document to the administrator (i.e., the DLEG Director), together with the fees and accompanying documents required by law. The Acts also provide that the administrator may establish a procedure for accepting delivery by facsimile or other electronic transmission. The bills would continue to allow the administrator to establish a procedure for accepting delivery by facsimile, but would require him or her to establish a procedure for accepting delivery by electronic transmission by February 1, 2006.

Senate Bills 666 and 667

Under the Nonprofit Corporation Act and the Michigan Revised Uniform Limited Partnership Act, a person filing a document required or permitted to be filed under those Acts must deliver the document to the administrator (the DLEG Director), together with the fees and accompanying documents required by law. The bills would allow the administrator to establish a procedure for accepting delivery by facsimile and would require him or her to establish a procedure for accepting delivery by electronic transmission by February 1, 2006.

MCL 450.1131 (S.B. 664)
450.4104 (S.B. 665)
450.2131 (S.B. 666)
449.1206 (S.B. 667)

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bills would increase the costs of the Department of Labor and Economic Growth by an unknown amount. Department staff have indicated that DLEG could not be ready to accept electronic forms by the February 1, 2006, date that the bills would require; however, the project could be completed by the end of 2006, with resources within the Department's budget.

The bills would have no fiscal impact local government.

Fiscal Analyst: Elizabeth Pratt

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.